

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 09-602
v.	:	DATE FILED: _____
ALLEN WATERS (1)	:	21 U.S.C. § 846 (conspiracy to
JABAAR MCCRAY, (2)	:	distribute 50 grams or more of cocaine
a/k/a “S,”	:	base (“crack”) – 1 count)
a/k/a “Jabaar Mcrae,”	:	21 U.S.C. § 841(a)(1) (distribution of 50
REGINALD BROWN, (3)	:	grams or more of cocaine base (“crack”)
a/k/a “Reggie,”	:	– 4 counts)
KILE LOHMAN, (4)	:	21 U.S.C. § 841(a)(1) (distribution of 5
a/k/a “Lil,”	:	grams or more cocaine base (“crack”)
KURTIS MARTIN, (5)	:	– 9 counts)
a/k/a “C,”	:	21 U.S.C. § 841(a)(1) (distribution
WENDALL PARKS, (6)	:	of cocaine base (“crack”) -12 counts)
a/k/a “Buff,”	:	21 U.S.C § 841(a)(1) (possession with
a/k/a “OJ,”	:	intent to distribute 50 grams or more of
TRACEY SERRANO, (7)	:	cocaine base (“crack”) – 1 count)
a/k/a “Bones,”	:	21 U.S.C. § 860(a) (distribution of
a/k/a “Stacey,”	:	cocaine base (“crack”) within 1,000 feet of
a/k/a “Terry”	:	a protected location – 26 counts
JAMAAL BURTON, (8)	:	21 U.S.C. § 843(b) (use of a communication
a/k/a “Mal,”	:	facility in furtherance of a drug crime -
JAMEEL BURTON (9)	:	1 count)
STEVEN JONQUE, (10)	:	18 U.S.C. § 2 (aiding and abetting)
a/k/a “Manny,”	:	
EMANUEL ROGERS, (11)	:	
a/k/a “Will,”	:	
a/k/a “Woe,”	:	
GREGORY GRAHAM (12)	:	
a/k/a “Dirty”	:	

SECOND SUPERSEDING INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. From in or about August 2007, to in or about June 2010, in Darby

Borough and Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants
ALLEN WATERS,

JABAAR MCCRAY,
a/k/a “S,”
a/k/a “Jabaar Merae,”
REGINALD BROWN,
a/k/a “Reggie,”
KYLE LOMAN,
a/k/a “Lil,”
KURTIS MARTIN,
a/k/a “C,”
WENDALL PARKS,
a/k/a “Buff,”
a/k/a “OJ,”
TRACEY SERRANO,
a/k/a “Bones,”
a/k/a “Stacey,”
a/k/a “Terry”
JAMAAL BURTON,
a/k/a “Mal,”
JAMEEL BURTON,
STEVEN JONQUE,
a/k/a “Manny,”
EMANUEL ROGERS,
a/k/a “Will,”
a/k/a “Woe,”and
GREGORY GRAHAM
a/k/a/ “Dirty”

conspired and agreed, together and with others known and unknown to the grand jury, to knowingly and intentionally distribute 50 grams or more of a mixture and substance containing a detectable amount of cocaine base ("crack" or “crack cocaine”), a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A).

MANNER AND MEANS

It was part of the conspiracy:

2. From in or about August 2007, to in or about June 2010, defendants ALLEN WATTERS, JABAAR MCCRAY, REGINALD BROWN, KILE LOWMAN KURTIS MARTIN, WENDALL PARKS, TRACY SERRANO, JAMAAL BURTON, JAMEEL BURTON, GREGORY GRAHAM, STEVEN JONQUE, EMANUEL ROGERS, and GREGORY GRAHAM, and others known and unknown to the grand jury, were members of a crack cocaine distribution organization that came to be known by various names, including: “3rd N HOMI,” “3rd N HOMICIDE,” “TNH,” “3rd Street Goons,” and “3rd Street Boys” (referred to here as “the Third Street Boys Crack Cocaine Organization” or the “TSBCCO”) that operated in the area of the unit block of North 3rd Street in the borough of Darby, in Delaware County, Pennsylvania, and in Philadelphia, Pennsylvania. The TSBCCO was a violent drug trafficking organization that sold retail and wholesale quantities of crack cocaine to customers in Darby Borough, Philadelphia, and elsewhere.

3. From in or about August, 2007, to in or about June 2010, the defendants, and others known and unknown to the grand jury, possessed with intent to distribute and distributed in excess of 50 grams of crack cocaine.

At times relevant to this second superseding indictment:

4. The defendants used various locations as "stash" locations, including residential homes, abandoned properties, abandoned cars, and other locations throughout the area of the unit blocks of North Third Street, North Sixth Street and Darby Terrace, including but not limited to, 20 North Third Street, in Darby Borough: (a) to store their supplies of crack cocaine;

(b) to package crack cocaine in preparation for sales to customers; and (c) to avoid having drugs on them in the event police were in the area.

4. The defendants used physical violence and threats of violence to:

- (a) prevent non-members or individuals from selling drugs in TSBCCO territory without the permission of the TSBCCO;
- (b) protect the reputation of the TSBCCO and to ensure its continued status and stature in its territory;
- (c) discipline and maintain control over TSBCCO members;
- (d) keep TSBCCO members and others from cooperating with law enforcement authorities; and
- (e) deter and eliminate competition from other drug dealers.

5. The TSBCCO had firearms available in hidden locations to protect its members, including each of the defendants, against possible attack by rival drug dealers. The defendants also carried firearms during the conspiracy.

6. The TSBCCO routinely used juveniles to transport, stash, and sell crack cocaine.

7. The defendants routinely communicated with each other, as well as with crack cocaine suppliers and customers using cellular telephones.

8. The TSBCCO regularly sold crack cocaine and conducted their drug trafficking operation within 1,000 feet of legally protected locations, including:

- (a) The Children's Garden Day Care, located at 301 North Third Street in Darby Borough;

- (b) Today's Learning Center, a children's day care center, located at 328 Main Street in Darby Borough;
- (c) The Penn Wood Middle School, located at 121 Summit Street, in Darby Borough; and
- (d) The William F. Harrity Elementary School, a public elementary school, located at 5601 Christian Street, in Philadelphia.

OVERT ACTS

In furtherance of the conspiracy, and to accomplish its objects, defendants ALLEN WATTERS, JABAAR MCCRAY, REGINALD BROWN, KILE LOWMAN KURTIS MARTIN, WENDALL PARKS, TRACY SERRANO, JAMAAL BURTON, JAMEEL BURTON, GREGORY GRAHAM, STEVEN JONQUE, EMANUEL ROGERS, and GREGORY GRAHAM, and others known and unknown to the grand jury, committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

1. On or about February 24, 2009, at Third and Greenway Streets in Darby Borough, defendants JAMEEL BURTON and TRACEY SERRANO distributed approximately 1.16 grams of crack cocaine to a confidential source for approximately \$130.
2. On or about February 24, 2009, in the area of the unit block of 3rd Street in Darby Borough, which was controlled by the TSBCCO, Person # 1 known to the grand jury was pistol-whipped because he brought other individuals to that location to sell drugs.
3. On or about February 26, 2009, in and around 20 North Third Street in Darby Borough, defendant TRACEY SERRANO distributed approximately 2.16 grams of crack cocaine to a confidential source for approximately \$300.
4. On or about March 11, 2009, in and around the 500 block of Fern Street in Darby Borough, defendants TRACEY SERRANO and JABAAR MCRAE distributed approximately 6.4 grams of crack cocaine to a confidential source for approximately \$300.
5. On or about March 13, 2009, in and around the 200 block of North Sixth Street in Darby Borough, defendants JABAAR MCCRAY and ALLEN WATTERS distributed approximately 25.0 grams of crack cocaine to a confidential source for approximately \$1,100.

6. On or about March 19, 2009, in and around the 200 block of North Sixth Street in Darby Borough, defendant JABAAR MCCRAY distributed approximately 55.8 grams of crack cocaine to a confidential source for approximately \$2,100.

7. On or about April 1, 2009, in and around the 200 block of North Sixth Street in Darby Borough, defendants JABAAR MCCRAY and ALLEN WATTERS distributed approximately 55.7 grams of crack cocaine to a confidential source for approximately \$2,160.

8. On or about April 8, 2009, in and around the unit block of North Third Street in Darby Borough, defendant EMANUEL ROGERS distributed approximately .19 grams of crack to a confidential source for \$20.

9. On or about April 13, 2009, in and around 20 North Third Street in Darby Borough, defendants TRACY SERRANO and KYLE LOHMAN distributed approximately .71 grams of crack to a confidential source for \$60.

10. On or about April 15, 2009, in and around 20 North Third Street in Darby Borough, defendant TRACEY SERRANO and KYLE LOHMAN distributed approximately 3.8 grams of crack to a confidential source for \$350.

11. On or about May 5, 2009 in and around the 300 block of Darby Terrace in Darby Borough, defendant STEVEN JONQUE distributed approximately 1.0 grams of crack cocaine to a confidential source for \$100.

12. On or about May 12, 2009, in and around the 600 block of Darby Terrace in Darby Borough, defendants JAMAL BURTON and KURTIS MARTIN distributed approximately 3.5 grams of crack cocaine to a confidential source for \$200.

13. On or about May 12, 2009, in and around 29 North Third Street in Darby Borough, defendant JAMAL BURTON distributed approximately 0.40 grams of crack cocaine to a confidential source for \$40.

14. On or about May 12, 2009, in and around the unit block of North Third Street in Darby Borough, members of the TSBCCO engaged in a shootout with rival drug traffickers who were attempting to take control of drug sales on that block.

15. On or about May 14, 2009 in and around the 600 block of Darby Terrace in Darby Borough, defendants JAMAAL BURTON and KURTIS MARTIN distributed approximately 13.7 grams of crack cocaine to a confidential source for \$575.

16. On or about May 29, 2009, in and around the unit block of North 3rd Street in Darby Borough, individuals known and unknown to the grand jury, including some members of the TSBCCO, exchanged gunfire as a result of an ongoing drug dispute.

17. On or about June 3, 2009, in and around the 700 block of Darby Terrace in Darby Borough:

(a) defendant KURTIS MARTIN distributed approximately 1.5 grams of crack cocaine to a confidential source for \$140; and

(b) Later the same day, defendant KURTIS MARTIN and an individual known to the grand jury distributed approximately 9.9 grams of crack cocaine to a confidential source for \$450.

18. On or about June 8, 2009, in and around Summit Street and Darby Terrace in Darby Borough, defendant KURTIS MARTIN distributed approximately 15.5 grams of crack cocaine to a confidential source for \$1,240.

19. On or about June 24, 2009 in and around North Third Street and Greenway Street in Darby Borough, defendant WENDALL PARKS distributed approximately 0.63 grams of crack to a confidential source for \$100.

20. On June 25, 2009 in the 600 block of N. 6th Street in Darby Borough, defendant KURTIS MARTIN used the telephone to make arrangements to distribute crack cocaine to a Confidential Source.

21. On or about July 8, 2009, in and around 20 North Third Street in Darby Borough, defendant WENDALL PARKS distributed approximately 8.1 grams of crack to a confidential source for \$360.

22. On or about July 21, 2009, in and around 115 North Third Street in Darby Borough, defendant WENDALL PARKS distributed approximately 4.9 grams of crack to a confidential source for \$340.

23. On or about August 5, 2009, in and around North Third Street and Greenway Street in Darby Borough, defendant WENDALL PARKS distributed approximately 11.7 grams of crack to a confidential source for \$700.

24. On or about August 12, 2009, in and around North Third Street and Darby Terrace in Darby Borough, defendants EMANUEL ROGERS, GREGORY GRAHAM, and KYLE LOHMAN distributed approximately 4.3 grams of crack to a confidential source for \$270.

25. On or about August 18, 2009, in and around North Third Street and Darby Terrace in Darby Borough, defendants EMANUEL ROGERS, GREGORY GRAHAM, and

KYLE LOHMAN distributed approximately 1.6 grams of crack to a confidential source for \$100.

26. On or about August 27, 2009, in and around 5801 Christian Street in Philadelphia, defendants REGINALD BROWN and KYLE LOHMAN distributed approximately 27.8 grams of crack to a confidential source for approximately \$1,200.

27. On or about September 1, 2009, in and around 5801 Christian Street in Philadelphia, defendants REGINALD BROWN and KYLE LOHMAN distributed approximately 55.7 grams of crack to a confidential source for \$2,425.

28. On or about September 14, 2009 in and around 8511 Lynnewood Road in Philadelphia, defendant ALLEN WATERS possessed for distribution approximately 116.2 grams of crack.

29. On or about October 15, 2009, in and around 5801 Christian Street Philadelphia, defendant REGINALD BROWN distributed approximately 56.4 grams of crack to a confidential source for approximately \$2,000.

30. On or about June 7, 2010, in and around the unit block of 3rd Street, Darby Borough, individuals selling drugs on that block shot the family member of a resident who complained about their narcotics trafficking activities and threatened to report them to law enforcement.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 24, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendants

**JAMEEL BURTON and
TRACEY SERRANO,
a/k/a "Bones,"
a/k/a "Stacey,"
a/k/a "Terry,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 1.16 grams, of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C), and Title 18, United States Code, Section 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 24, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendants

**JAMEEL BURTON and
TRACEY SERRANO,
a/k/a "Bones,"
a/k/a "Stacey,"
a/k/a "Terry,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, a mixture or substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, within 1,000 feet of the real property comprising the Children's Garden Day Care, located at 301 North Third Street in Darby Borough, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860(a), and Title 18, United States Code, Section 2.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 26, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendant

**TRACEY SERRANO,
a/k/a "Bones,"
a/k/a "Stacey,"
a/k/a "Terry,"**

knowingly and intentionally distributed approximately 2.16 grams of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about February 26, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendant

**TRACEY SERRANO,
a/k/a "Bones,"
a/k/a "Stacey,"
a/k/a "Terry,"**

knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, within 1,000 feet of the real property comprising Today's Learning Center, a day care center, located at 328 Main Street, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860(a).

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 11, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendants

**TRACEY SERRANO,
a/k/a "Bones,"
a/k/a "Stacey,"
a/k/a "Terry," and
JABAAR MCCRAY,
a/k/a "S,"
a/k/a "Jabaar Mcrae,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, 5 grams or more, that is, approximately 6.4 grams, of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B), and Title 18, United States Code, Section 2.

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 11, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendants

**TRACEY SERRANO,
a/k/a "Bones,"
a/k/a "Stacey,"
a/k/a "Terry," and
JABAAR MCCRAY,
a/k/a "S,"
a/k/a "Jabaar Mcrae,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, 5 grams or more, that is, approximately 6.4 grams, of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, within 1,000 feet of the real property comprising the Penn Wood Middle School, located at 121 Summit Street, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B).

In violation of Title 21, United States Code, Section 860(a), and Title 18, United States Code, Section 2.

COUNT EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 13, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendants

**ALLEN WATERS and
JABAAR MCCRAY,
a/k/a "S,"
a/k/a "Jabaar Mcrae,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, 5 grams or more, that is, approximately 25 grams, of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B), and Title 18, United States Code, Section 2.

COUNT NINE

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 13, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendants

**ALLEN WATTERS and
JABAAR MCCRAY,
a/k/a "S,"
a/k/a "Jabaar Mcrae,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, 5 grams or more, that is, approximately 25 grams, of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, within 1,000 feet of the real property comprising the Penn Wood Middle School, located at 121 Summit Street, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860(a), and Title 18, United States Code, Section 2.

COUNT TEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 19, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendant

**JABAAR MCCRAY,
a/k/a "S,"
a/k/a "Jabaar Mcrae,"**

knowingly and intentionally distributed 50 grams or more, that is, approximately 55.8 grams, of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A).

COUNT ELEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 19, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendant

**JABAAR MCCRAY,
a/k/a "S,"
a/k/a "Jabaar Mcrae,"**

knowingly and intentionally distributed 50 grams or more, that is, approximately 55.8 grams, of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, within 1,000 feet of the real property comprising the Penn Wood Middle School, located at 121 Summit Street, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860(a).

COUNT TWELVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 1, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendants

**ALLEN WATTERS and
JABAAR MCCRAY,
a/k/a "S,"
a/k/a "Jabaar Mcrae,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, 50 grams or more, that is, approximately 55.7 grams, of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A), and Title 18, United States Code, Section 2.

COUNT THIRTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 1, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendants

**ALLEN WATTERS and
JABAAR MCCRAY,
a/k/a "S,"
a/k/a "Jabaar Mcrae,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, 50 grams or more, that is, approximately 55.7 grams, of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, within 1,000 feet of the real property comprising the Penn Wood Middle School, located at 121 Summit Street, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860(a), and Title 18, United States Code, Section 2.

COUNT FOURTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 8, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendant

**EMANUEL ROGERS,
a/k/a "Will,"
a/k/a "Woe,"**

knowingly and intentionally distributed approximately .19 grams of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (B)(1)(C).

COUNT FIFTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 8, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendant

**EMANUEL ROGERS,
a/k/a "Will,"
a/k/a "Woe,"**

knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, within 1,000 feet of the real property comprising the Children's Garden Day Care, a day care center, located at 301 North Third Street, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860(a).

COUNT SIXTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 13, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendant

**TRACEY SERRANO,
a/k/a "Bones,"
a/k/a "Stacey,"
a/k/a "Terry," and
KYLE LOMAN,
a/k/a "Lil,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately

.71 grams of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

COUNT SEVENTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 13, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendant

**TRACEY SERRANO,
a/k/a "Bones,"
a/k/a "Stacey,"
a/k/a "Terry," and
KYLE LOMAN,
a/k/a "Lil,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, within 1,000 feet of the real property comprising Today's Learning Center, a day care center, located at 328 Main Street, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860(a).

COUNT EIGHTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 15, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendant

**TRACEY SERRANO,
a/k/a "Bones,"
a/k/a "Stacey,"
a/k/a "Terry," and
KYLE LOMAN,
a/k/a "Lil,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 2.5 grams of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

COUNT NINETEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 15, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendant

**TRACEY SERRANO,
a/k/a "Bones,"
a/k/a "Stacey,"
a/k/a "Terry," and
KYLE LOMAN,
a/k/a "Lil,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, within 1,000 feet of the real property comprising Today's Learning Center, a day care center, located at 328 Main Street, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860(a).

COUNT TWENTY

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 5, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendant

**STEVEN JONQUE,
a/k/a "Manny,"**

knowingly and intentionally distributed approximately 1.0 grams of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

COUNT TWENTY-ONE

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 5, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendant

**STEVEN JONQUE,
a/k/a "Manny,"**

knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, within 1,000 feet of the real property comprising the Children's Garden Day Care, a day care center, located at 301 North Third Street, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860(a).

COUNT TWENTY-TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 12, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendants

**JAMAL BURTON,
a/k/a "Mal," and
KURTIS MARTIN,
a/k/a "C,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 3.5 grams of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C), and Title 18, United States Code, Section 2.

COUNT TWENTY-THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 12, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendants

**JAMAL BURTON,
a/k/a "Mal," and
KURTIS MARTIN,
a/k/a "C,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, within 1,000 feet of the real property comprising the Penn Wood Middle School, located at 121 Summit Street, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860(a), and Title 18, United States Code, Section 2.

COUNT TWENTY-FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 12, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, the defendant

**JAMAL BURTON,
a/k/a "Mal,"**

knowingly and intentionally distributed approximately .4 grams of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

COUNT TWENTY-FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 12, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendant

**JAMAL BURTON,
a/k/a "Mal,"**

knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, within 1,000 feet of the real property comprising the Children's Garden Day Care, a day care center, located at 301 North Third Street, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860(a).

COUNT TWENTY-SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 14, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendants

**JAMAL BURTON,
a/k/a "Mal," and
KURTIS MARTIN,
a/k/a "C,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, 5 grams or more, that is approximately 13.7 grams, of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B), and Title 18, United States Code Section 2.

COUNT TWENTY-SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 14, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendants

**JAMAL BURTON,
a/k/a "Mal," and
KURTIS MARTIN,
a/k/a "C,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, 5 grams or more, that is, approximately 13.7 grams of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, within 1,000 feet of the real property comprising the Penn Wood Middle School, located at 121 Summit Street, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860(a).

COUNT TWENTY-EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 3, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendant

**KURTIS MARTIN,
a/k/a "C,"**

knowingly and intentionally distributed approximately 1.5 grams of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

COUNT TWENTY-NINE

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 3, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendant

**KURTIS MARTIN,
a/k/a "C,"**

knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, within 1,000 feet of the real property comprising the Penn Wood Middle School, located at 121 Summit Street, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860(a).

COUNT THIRTY

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 3, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendant

**KURTIS MARTIN,
a/k/a "C,"**

knowingly and intentionally distributed 5 grams or more, that is, approximately 9.9 grams of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B).

COUNT THIRTY-ONE

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 3, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendant

**KURTIS MARTIN,
a/k/a "C,"**

knowingly and intentionally distributed 5 grams or more, that is, approximately 9.9 grams of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, within 1,000 feet of the real property comprising the Penn Wood Middle School, located at 121 Summit Street, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B).

In violation of Title 21, United States Code, Section 860(a).

COUNT THIRTY-TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 8, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendant

**KURTIS MARTIN,
a/k/a "C,"**

knowingly and intentionally distributed 5 grams or more, that is, approximately 15.5 grams, of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

COUNT THIRTY-THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 8, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendant

**KURTIS MARTIN,
a/k/a "C,"**

knowingly and intentionally distributed 5 grams or more, that is, approximately 15.5 grams, of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, within 1,000 feet of the real property comprising the Penn Wood Middle School, located at 121 Summit Street, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860(a).

COUNT THIRTY-FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 24, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendant

**WENDALL PARKS,
a/k/a "Buff,"
a/k/a "OJ,"**

knowingly and intentionally distributed approximately 0.63 grams of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

COUNT THIRTY-FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 24, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendant

**WENDALL PARKS,
a/k/a "Buff,"
a/k/a "OJ,"**

knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, within 1,000 feet of the real property comprising the Children's Garden Day Care, a day care center, located at 301 North Third Street, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860(a).

COUNT THIRTY-SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about June 25, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendant

**KURTIS MARTIN ,
a/k/a "C,"**

knowingly and intentionally used a communication facility, that is, a telephone, in facilitating a drug felony, in that defendant MARTIN used a telephone to arrange for the sale of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 843(b).

COUNT THIRTY-SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 8, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendant

**WENDALL PARKS,
a/k/a "Buff,"**

knowingly and intentionally distributed 5 grams or more, that is, approximately 8.1 grams, of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B).

COUNT THIRTY-EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 8, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendant

**WENDALL PARKS,
a/k/a "Buff,"**

knowingly and intentionally distributed 5 grams or more, that is, approximately 8.1 grams, of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, within 1,000 feet of the real property comprising the Children's Garden Day Care, a day care center, located at 301 North Third Street, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860(a).

COUNT THIRTY-NINE

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 21, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendant

**WENDALL PARKS,
a/k/a "Buff,"**

knowingly and intentionally distributed approximately 4.9 grams of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

COUNT FORTY

THE GRAND JURY FURTHER CHARGES THAT:

On or about July 21, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendant

**WENDALL PARKS,
a/k/a "Buff,"**

knowingly and intentionally distributed a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, within 1,000 feet of the real property comprising the Children's Garden Day Care, a day care center, located at 301 North Third Street, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860(a).

COUNT FORTY-ONE

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 5, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendant

**WENDALL PARKS,
a/k/a "Buff,"**

knowingly and intentionally distributed 5 grams or more, that is, approximately 11.7 grams, of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B).

COUNT FORTY-TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 5, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendant

**WENDALL PARKS,
a/k/a "Buff,"**

knowingly and intentionally distributed 5 grams or more, that is, approximately 11.7 grams, of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, within 1,000 feet of the real property comprising the Children's Garden Day Care, a day care center, located at 301 North Third Street, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B).

In violation of Title 21, United States Code, Section 860(a).

COUNT FORTY-THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 12, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendants

**GREGORY GRAHAM,
a/k/a "Dirty,"
EMANUEL ROGERS,
a/k/a "Will,"
a/k/a "Woe," and
KYLE LOMAN,
a/k/a "Lil,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 4.3 grams of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C), and Title 18, United States Code, Section 2.

COUNT FORTY-FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 12, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendants

**GREGORY GRAHAM,
a/k/a "Dirty," and
EMANUEL ROGERS,
a/k/a "Will,"
a/k/a "Woe," and
KYLE LOMAN,
a/k/a "Lil,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, within 1,000 feet of the real property comprising Today's Learning Center, a day care center, located at 328 Main Street, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860(a), and Title 18, United States Code, Section 2.

COUNT FORTY-FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 18, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendants

**GREGORY GRAHAM,
a/k/a "Dirty,"
EMANUEL ROGERS,
a/k/a "Will,"
a/k/a "Woe," and
KYLE LOMAN,
a/k/a "Lil,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, approximately 1.6 grams of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C), and Title 18, United States Code, Section 2.

COUNT FORTY-SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 18, 2009, in Darby Borough, Delaware County, in the Eastern District of Pennsylvania, defendants

**GREGORY GRAHAM,
a/k/a "Dirty,"
EMANUEL ROGERS,
a/k/a "Will,"
a/k/a "Woe," and
KYLE LOMAN,
a/k/a "Lil,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, within 1,000 feet of the real property comprising Today's Learning Center, a day care center, located at 328 Main Street, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(C).

In violation of Title 21, United States Code, Section 860(a), and Title 18, United States Code, Section 2.

COUNT FORTY-SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 27, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**REGINALD BROWN,
a/k/a "Reggie," and
KYLE LOMAN,
a/k/a "Lil,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, 5 grams or more, that is, approximately 27.8 grams, of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B), and Title 18, United States Code, Section 2.

COUNT FORTY-EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 27, 2009, in Philadelphia, Philadelphia County, in the Eastern District of Pennsylvania, defendant

**REGINALD BROWN,
a/k/a "Reggie," and
KYLE LOMAN,
a/k/a "Lil,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, 5 grams or more, that is, approximately 27.8 grams, of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, within 1,000 feet of the real property comprising of the William F. Harrity Elementary School, a public elementary school, located at 5601 Christian Street, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B).

In violation of Title 21, United States Code, Section 860(a), and Title 18, United States Code, Section 2.

COUNT FORTY-NINE

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 1, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**REGINALD BROWN,
a/k/a "Reggie," and
KYLE LOMAN,
a/k/a "Lil,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, 50 grams or more, that is, approximately 55.7 grams, of a mixture and substance, containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A), and Title 18, United States Code, Section 2.

COUNT FIFTY

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 1, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**REGINALD BROWN,
a/k/a "Reggie," and
KYLE LOMAN,
a/k/a "Lil,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, 50 grams or more, that is, approximately 55.7 grams, of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, within 1,000 feet of the real property comprising of the William F. Harrity Elementary School, a public elementary school, located at 5601 Christian Street, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A).

In violation of Title 21, United States Code, Section 860(a), and Title 18, United States Code, Section 2.

COUNT FIFTY-ONE

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 14, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

ALLEN WATTERS

knowingly and intentionally possessed with intent to distribute 50 grams or more, that is, approximately 116.2 grams, of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A).

COUNT FIFTY-TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about September 14, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

ALLEN WATTERS

knowingly and intentionally possessed approximately 13.8 grams of a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 844(a).

COUNT FIFTY-THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 15, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**REGINALD BROWN,
a/k/a/"Reggie,"**

knowingly and intentionally distributed, and aided and abetted the distribution of, 50 grams or more, that is, approximately 56.4 grams, of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A) and Title 18, United States Code, Section 2.

COUNT FIFTY-FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about October 15, 2009, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**REGINALD BROWN,
a/k/a/"Reggie,"**

knowingly and intentionally distributed 50 grams or more, that is, approximately 56.4 grams, of a mixture and substance containing a detectable amount of cocaine base ("crack"), a Schedule II controlled substance, within 1,000 feet of the real property comprising of the William F. Harrity Elementary School, a public elementary school, located at 5601 Christian Street, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A).

In violation of Title 21, United States Code, Section 860(a).

A TRUE BILL:

FOREPERSON

**ZANE DAVID MEMEGER
United States Attorney**